

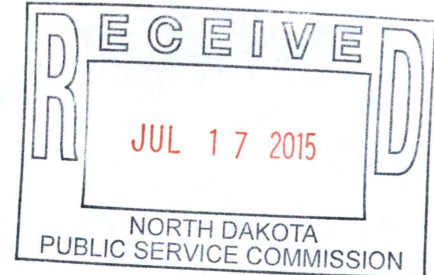
"VARIETY IN HUNTING AND FISHING"

NORTH DAKOTA GAME AND FISH DEPARTMENT

100 NORTH BISMARCK EXPRESSWAY BISMARCK, NORTH DAKOTA 58501-5095 PHONE 701-328-6300 FAX 701-328-6352

June 30, 2015

Scott Besmer
Project Manager
KLJ
PO Box 1157
Bismarck, ND 58502-1157



Dear Mr. Besmer:

RE: BOE Pipeline Phase II Project

This project consists of burying approximately 42 miles of 16-inch welded steel crude oil pipeline from the proposed northern terminus near Johnson's Corner in McKenzie County to an existing receipt / pumping facility near Killdeer in Dunn County, North Dakota. The North Dakota Game and Fish Department has reviewed this project for wildlife concerns.

A primary concern is the possible disturbance of native prairie and wooded draws associated with construction of the pipeline and access roads. We ask that work within these areas be avoided to the extent possible, every effort be made to prevent destruction of woody vegetation, and disturbed areas be reclaimed to pre-project conditions.

The pipeline route will cross the Little Missouri River, a Classified fishery. We recommend that this stream be crossed by directional boring to protect the resource. If this method is not feasible, construction should not take place within the waterway between April 15 and June 1, and controls should be implemented to minimize erosion and sedimentation. Every precaution should be taken to prevent leaks or spills from entering the river.

Aquatic nuisance species (ANS) are a major concern in North Dakota. State law requires that the contractor, including any and all subcontractors involved in this project, take appropriate precautions to prevent the introduction or movement of ANS within the state. The contractor should provide the department a reasonable opportunity to inspect any equipment prior to these items being launched or placed into waters of the state. The department's Aquatic Nuisance Species Coordinator, Mr. Fred Ryckman, can be contacted at 701-770-0920 for equipment inspections or additional information regarding ANS prevention protocols.

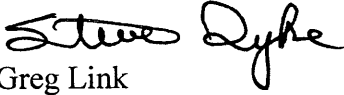
3 PU-14-16 Filed: 7/17/2015 Pages: 2
Comments

The proposed project is located adjacent to the Burnt Creek and BLM bighorn sheep herds. We ask that construction activity be avoided in areas within line-of-sight of bighorn sheep lambing areas from April 1 through July 15 to minimize possible impacts to the population. Mr. Brett Wiedmann, Big Game Management Biologist, should be contacted at 701-225-2043 for more information regarding bighorn sheep lambing restrictions.

The National Wetland Inventory indicates various wetlands within the proposed project corridor. Steps should be taken to protect any wetlands that cannot be avoided, no alterations should be made to existing drainage patterns, and above-ground appurtenances should not be placed in wetland areas. Unavoidable destruction or degradation of wetland acres should be mitigated in kind.

We recommend that aerial surveys be conducted for raptor nests before construction begins. Our records indicate several possible golden eagle nests located in close proximity to the project area. We recommend that a ½-mile construction buffer be implemented around active eagle nest sites (known occupied within the past 5 years). Ms. Sandra Johnson, Conservation Biologist, can be contacted at 701-328-6327 for additional information on golden eagle nest sites in the state.

Sincerely,

(for) 
Greg Link
Chief
Conservation & Communication Division

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